

COMMISSIONERS  
SUSAN BITTER SMITH - Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE

OPEN MEETING ITEM

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ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
DOCKET CONTROL

DATE: JULY 27, 2015  
DOCKET NOS.: T-02679A-15-0140

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

NETWORK OPERATOR SERVICES, INC.  
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

AUGUST 5, 2015

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

AUGUST 18, 2015 AND AUGUST 19, 2015

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

JUL 27 2015

DOCKETED BY

TV

JODI JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347  
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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov.

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - Chairman  
4 BOB STUMP  
5 BOB BURNS  
6 DOUG LITTLE  
7 TOM FORESE

8 IN THE MATTER OF THE APPLICATION OF  
9 NETWORK OPERATOR SERVICES, INC. FOR  
10 APPROVAL TO CANCEL ITS ALTERNATIVE  
11 OPERATOR SERVICES AND RESOLD LONG  
12 DISTANCE SERVICES CERTIFICATE OF  
13 CONVENIENCE AND NECESSITY.

DOCKET NO. T-02679A-15-0140

DECISION NO. \_\_\_\_\_

**ORDER**

14 Open Meeting  
15 August 18 and 19, 2015  
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 Having considered the entire record herein and being fully advised in the premises, the  
19 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

20 **FINDINGS OF FACT**

21 1. On August 6, 2001, in Decision No. 63906, the Commission granted Network  
22 Operator Services, Inc. ("NOSI") a Certificate of Convenience and Necessity ("CC&N") to provide  
23 alternative operator services ("AOS") and resold long distance telecommunications services within  
24 the State of Arizona.

25 2. On November 19, 2001, NOSI filed a letter in Docket No. T-02679A-92-0190  
26 indicating it did not intend to provide resold long distance services, thereby negating the need to  
27 provide a \$10,000 bond.

28 3. On April 30, 2015, NOSI filed a request to cancel its CC&N, stating that NOSI was  
no longer providing AOS or doing business in Arizona and stopped providing AOS in Arizona by no  
later than December 31, 2013. NOSI also requested a waiver of the notice requirements in Arizona  
Administrative Code ("A.A.C.") R14-2-1107, asserting that NOSI no longer had customers in  
Arizona with which to provide notice.

4. On May 5, 2015, NOSI filed a letter to correct the year it stopped providing service in

1 Arizona, changing it from 2013 to 2014.

2 5. On June 30, 2015, the Commission's Utilities Division ("Staff") filed a Staff Report in  
3 this matter recommending approval of NOSI's request to cancel its CC&N.

4 6. The Staff Report indicates that NOSI stopped providing AOS to customers in Arizona  
5 no later than December 31, 2014.

6 7. The Commission's Compliance Section reported that NOSI has no delinquent  
7 compliance issues. The Consumer Services Section of the Utilities Division indicated that one  
8 complaint had been filed against NOSI from January 1, 2012 through May 1, 2015, which has since  
9 been resolved. The Corporations Division reports that NOSI is in good standing.

10 8. A.A.C. R14-2-1107 requires that an application to discontinue service include  
11 verification that all affected customers have been notified of the proposed discontinuance and that all  
12 affected customers will have access to an alternative provider. Staff recommends granting NOSI's  
13 request to waive the published notice requirements of A.A.C. R14-2-1107 because NOSI is not  
14 providing AOS or resold long distance telecommunication services to any customers in Arizona.  
15 Staff further recommends cancellation of NOSI's tariff that is on file with the Commission.

16 9. Staff's recommendations are reasonable and should be adopted.

#### 17 CONCLUSIONS OF LAW

18 1. Network Operator Services, Inc. is a public service corporation within the meaning of  
19 Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

20 2. The Commission has jurisdiction over Network Operator Services, Inc. and the subject  
21 matter of the application.

22 3. The cancellation of Network Operator Services, Inc.'s Certificate of Convenience and  
23 Necessity to provide alternative operator services and resold long distance telecommunications  
24 services within the State of Arizona and to cancel its tariff on file with the Commission for such  
25 services is in the public interest.

26 4. For the reasons stated herein, Network Operator Services, Inc. should be granted a  
27 waiver of the notice and publication requirements of A.A.C. R14-2-1107.

28 5. Staff's recommendations are reasonable and should be adopted.

**ORDER**

IT IS THEREFORE ORDERED that the application of Network Operator Services, Inc. for the cancellation of its Certificate of Convenience and Necessity, granted in Commission Decision No. 63906 (August 6, 2001), to provide alternative operator services and resold long distance telecommunications services within the State of Arizona is hereby approved and the Certificate of Convenience and Necessity is canceled.

IT IS FURTHER ORDERED that Network Operator Services, Inc.'s telecommunications services tariff on file with the Commission is hereby canceled.

IT IS FURTHER ORDERED that Network Operator Services, Inc. is hereby granted a waiver of the notice requirements of A.A.C. R14-2-1107.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SP:tv(ru)

1 SERVICE LIST FOR: NETWORK OPERATOR SERVICES, INC.

2 DOCKET NO.: T-02679A-15-0140

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